

107TH CONGRESS
2D SESSION

H. R. 5050

To establish the Market Integrity Commission to study issues relating to the governance of corporations in interstate and foreign commerce.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2002

Mr. GREENWOOD (for himself, Mr. TAUZIN, Mr. STEARNS, Mr. TOWNS, Mr. BARTON of Texas, Mr. HALL of Texas, Mr. GILLMOR, Mr. BILIRAKIS, Mr. UPTON, Mr. COX, Mr. HORN, Mr. TOM DAVIS of Virginia, Mr. McKEON, Mr. LAHOOD, Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. HOUGHTON, Mrs. MORELLA, Mr. TOOMEY, Mrs. WILSON of New Mexico, Mr. PETERSON of Pennsylvania, Mr. SIMMONS, Mr. PLATTS, Mr. GILCHREST, Mr. LEACH, Mr. BASS, Mr. WHITFIELD, and Mr. BUYER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish the Market Integrity Commission to study issues relating to the governance of corporations in interstate and foreign commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Corporate Governance
5 and Market Integrity Commission Act”.

1 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

2 (a) ESTABLISHMENT.—There is established a com-
3 mission to be known as the “Market Integrity Commis-
4 sion” (in this Act referred to as the “Commission”).

5 (b) PURPOSE.—The purpose of the Commission shall
6 be to study issues relating to the governance of corpora-
7 tions in interstate and foreign commerce and to rec-
8 ommend steps to be taken to improve corporate govern-
9 ance.

10 **SEC. 3. MEMBERSHIP.**

11 (a) NUMBER AND APPOINTMENT.—The Commission
12 shall be composed of 9 members who shall be appointed
13 by the President, based upon the recommendations of the
14 Secretary of Commerce.

15 (b) POLITICAL AFFILIATION.—Not more than 5
16 members appointed under subsection (a) may be of the
17 same political party.

18 (c) QUALIFICATIONS OF MEMBERS.—Members shall
19 be appointed to the Commission from among individuals
20 who are prominent experts in issues of interstate and for-
21 eign commerce, corporate governance, corporate law, and
22 related fields.

23 (d) CHAIRPERSON.—The President shall designate a
24 Chairperson from among the members appointed to the
25 Commission.

1 (e) TERMS.—Members of the Commission shall be
2 appointed not later than 60 days after the date of enact-
3 ment of this Act. Members shall be appointed until the
4 termination of the Commission under section 7.

5 (f) VACANCIES.—A vacancy in the Commission shall
6 not affect its powers, but shall be filled in the same man-
7 ner as the original appointment.

8 (g) MEETINGS.—

9 (1) INITIAL MEETING.—Not later than 30 days
10 after the date on which all members of the Commis-
11 sion have been appointed, the Commission shall hold
12 its first meeting.

13 (2) ADDITIONAL MEETINGS.—The Commission
14 shall meet at the call of the Chairperson or a major-
15 ity of its members.

16 (h) QUORUM.—A majority of the Commission shall
17 constitute a quorum for the transaction of business.

18 (i) BASIC PAY AND EXPENSES.—Members of the
19 Commission shall serve without pay. Each member shall
20 receive travel expenses, including per diem in lieu of sub-
21 sistence, in accordance with applicable provisions under
22 subchapter I of chapter 57 of title 5, United States Code.

23 **SEC. 4. DUTIES OF THE COMMISSION.**

24 (a) IN GENERAL.—The Commission shall examine
25 issues related to corporate governance and the impact of

1 corporate governance practices on the development,
2 growth, and regulation of interstate and foreign com-
3 merce, including the effect of such practices on the market
4 economy and on consumers.

5 (b) FINAL REPORT.—Not later than 6 months after
6 the date of the initial meeting of the Commission, the
7 Commission shall transmit to the President, the Congress,
8 and the Secretary of Commerce a final report which shall
9 include an analysis of the issues of corporate governance
10 as it affects interstate and foreign commerce and rec-
11 ommendations for specific legislation to improve corporate
12 governance and to address the problems identified as part
13 of the Commission’s analysis.

14 **SEC. 5. EXECUTIVE DIRECTOR AND STAFF OF COMMISSION.**

15 (a) EXECUTIVE DIRECTOR.—The Commission shall
16 have an Executive Director who shall be appointed by the
17 Commission. To the extent or in the amounts provided in
18 appropriation Acts, the Executive Director shall be paid
19 at a rate not to exceed the rate of basic pay for level 3
20 of the Executive Schedule.

21 (b) STAFF.—The Commission may appoint and fix
22 the rate of pay of additional personnel as it considers ap-
23 propriate.

1 **SEC. 6. POWERS OF THE COMMISSION.**

2 (a) HEARINGS.—The Commission may hold such
3 hearings, sit and act at such times and places, take such
4 testimony, and receive such evidence as the Commission
5 may find advisable to fulfill the requirements of this Act.
6 The Commission may administer oaths and affirmations
7 to witnesses appearing before the Commission

8 (b) ADMINISTRATIVE SUPPORT SERVICES.—Upon
9 the request of the Chairperson of the Commission, the Ad-
10 ministrator of General Services shall provide to the Com-
11 mission, on a reimbursable basis, the administrative sup-
12 port services, including personnel and facilities, that are
13 necessary to enable the Commission to carry out its duties
14 under this Act.

15 (c) POSTAL SERVICES.—The Commission may use
16 the United States mails in the same manner and under
17 the same conditions as other departments and agencies of
18 the Federal Government.

19 **SEC. 7. TERMINATION OF COMMISSION.**

20 The Commission shall terminate 6 months after the
21 date on which the Commission submits its report under
22 section 4.

23 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated \$2,000,000
25 for the Commission to carry out this Act.